

APPLICATION NUMBER: 23/01214/VRCON

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/01214/VRCON	Rosalind Gralton	11 January 2024

Address: Dexine Rubber Co Ltd Spotland Road Rochdale OL12 0AU

Proposal: Section 73 application for minor material amendment to planning permission 23/00153/FUL relating to reconfiguration of space, and amendments to fenestration including two storey roller shutter to rear

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	Y

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	N

EIA	Screening opinion completed and saved to Onbase?	N
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CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N

RECOMMENDATION	APPROVE SUBJECT TO CONDITIONS
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CHECKED AND SIGNED OFF BY: LA DATE: 21.03.24

SITE

The application relates to a circa 450m² plot of land to the south of Spotland Road, set just north of the Coldwall Industrial Estate and immediately west of no.209 Spotland Road, an end-of-terrace dwelling. It is in a prominent position being visible from 3 sides. The site is flat, cleared of any buildings and fenced around its perimeter.

To the west of the site is Spotland Bridge Funeral Directors, a two-storey early C20 red brick and sandstone building with slate roof which is recognised as a Non-Designated Heritage Asset (NDHA). The site falls within the Spotland Bridge Conservation Area, an extensive area set around an industrial townscape comprising the Grade II listed Spotland Mill, 150m northwest of the site.

The site is within the defined urban area and within a mixed employment zone.

PROPOSAL

The proposal relates to a Section 73 application to vary the originally approved planning permission 23/00153/FUL.

The changes proposed seek a variation to the western and southern fenestration, and a reconfigure internally to reduce the approved office space from a total of 132.2sqm to 53.1sqm, and increase the size of the industrial unit to two storey in height.

The changes to the external fenestration include the design and arrangement of glazing and windows, as well as an increased height roller shutter to the rear elevation. The roller shutter entrance (and therefore maximum height of entry) would now measure 3.5m. Additionally, brickwork detailing on the rear elevation on the originally approved drawings would be removed entirely.

The proposal would remove the segregated mens/ womens W/C and incorporate a meeting room at ground floor, disabled WC at ground floor, and a single office room at first floor. The industrial unit would be the main use of the building.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

- E2 Increasing jobs and prosperity
- P2 Protecting and enhancing character, landscape and heritage
- P3 Improving design of new development
- T2 Improving access
- DM1 General Development Requirements

Unitary Development Plan (UDP):

G/D/1 Urban Defined Area

E/C/3 Mixed Employment Zones

Supplementary Planning Documents (SPD):

Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development' (June 2016).

RELEVANT SITE HISTORY

23/00153/FUL	Erection of a two storey industrial building (Class B2) with ancillary office space including associated parking and landscaping – Approved 12/10/2023
22/01487/FUL	Two storey mixed-use building comprising industrial unit (Use Class B2) at ground floor with offices at first floor (Use Class E), including associated landscaping and parking - Resubmission of 22/01123/FUL – Refusal January 2023
22/01123/FUL	Two storey mixed-use building comprising industrial unit (Use Class B2) at ground floor with offices at first floor (Use Class E), including associated landscaping and parking – Approved November 2022
20/01193/FUL	Full application (part retrospective) for the demolition of on-site buildings including the existing mill building, the erection of 10 industrial units (E and B2 Use Classes), together with the creation of a service yard, car parking and substation; the erection of 2 dwellings (4 bedroom semi-detached units), together with the creation of parking areas for existing units and parking for proposed units and the alteration of the existing access -Resubmission of 19/00804/FUL – Approved Feb 2021
19/00804/FUL	Full application (part retrospective) for the demolition of on-site buildings including the existing mill building, the erection of 12 industrial units (B1 and B2 Use Classes), the refurbishment and minor alteration of existing industrial buildings together with the creation of a service yard and car parking; the erection of 4 dwellings (2no 4 bedroom semi-detached units), together with the creation of parking areas for existing units (39 spaces) and parking for proposed units (74 spaces, including 2 disabled units) and the alteration of the existing access – Approved Nov 2019.
18/00727/HYBR	Hybrid planning application (part outline and full): Outline application (including access) for the demolition of the former mill buildings, the erection of up to 47 dwellings and vehicular access; Full application for demolition of the former mill buildings and the refurbishment of the existing steel framed industrial building including vehicular access and service yard - Finally disposed of Sept 2020.

CONSULTATION RESPONSES

Conservation Officer

The application site is located on Spotland Road within the Spotland Bridge Conservation Area. The site forms part of the wider area once covered by the historic Dexine Mill. This mill has now been demolished and the site is covered by modern commercial units.

Planning permission has previously been granted on the site for the construction of a new building for commercial uses (23/00153/FUL refers). This current application seeks to vary the approved plans. These changes relate to the fenestration along the gable end and an increase in size of the roller shutter. There also appears to be changes to the proposed materials. The natural slate as approved is now shown to be replaced by cement tiles.

The roller shutter would be located on the rear of the building and would not be readily visible in key views of the site along Spotland Road. There are no objections to this element.

The gable end will be a prominent feature, due to its position on the corner and entrance to the new commercial estate. The previous scheme sought to provide a feature on the corner. The revised scheme shows the brick detailing to be omitted and a simpler window pattern. This is disappointing considering the extensive discussions held previously, to ensure some visual interest on this corner. To address this, the applicant should look to reinstate some of the brick detailing/glazing previously proposed.

The use of cement tiles is not considered to be appropriate in this location, and a natural slate should be used as approved.

Subject to the above changes, it is likely that an acceptable scheme can be achieved and a neutral impact on the character and appearance of the Conservation Area achieved.

Environmental Health

No objections

Environmental Protection

No comments to make

GM Fire Service

No response received

Highways

No objections

Urban Design

Summary response:

'The amendments supplant the glazed areas with brickwork and windows. The proposed north elevation is considered a suitable continuation of the existing terraced house typology on Spotland Road. The reduction of glazed elements along the west elevation however are detrimental to the development, weakening this corner entrance point. Omitting brick detailing has certainly not helped the design and I would strongly advise the architect to reinstate this to help justify the amendments that have been made.

***If** this can be improved with some design changes I would consider the variation to be acceptable.*

Note: I have attached some visual amendments / annotations to assist with my response. These are just some ideas for the architect / designer to take back and resolve.'

REPRESENTATIONS

The application was publicised by way of neighbour notification and site notice. No responses were received.

ANALYSIS

Principle of Development

The application site falls within a mixed employment zone as set out under saved UDP Policy EC/3. Appendix 3 of the adopted Rochdale Core Strategy states that Saved UDP Policy EC/3 should be read in conjunction with Policy E2 and E3 of the Core Strategy.

Policy E2 seeks to ensure a sufficient supply of suitable land, buildings and infrastructure in the right places to support the creation and retention of successful businesses and increase the number and quality of jobs to create a more prosperous economy. In respect of sites in the north of the borough (such as the application site), Policy E2 seeks to protect existing employment zones, and employment (B1 – B8) sites and premises (over 0.2ha) and support their retention and redevelopment for employment uses.

The application seeks to vary a previously approved permission, which proposes a two-storey mixed use building comprising office and general industrial space. The amended plans provide a larger area for B8 use than Class E. Despite the change in size dedicated to either use, given that both uses proposed are complementary of employment generating uses, subject to an assessment of other development management requires, the principle of the proposed development is unchanged, acceptable and in accordance with Policy E2 of the adopted Core Strategy and the National Planning Policy Framework.

Heritage and Design

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Paragraph 195 of the National Planning Policy Framework states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. Paragraph 197 goes on to state that in determining applications, local planning authorities should take account of (inter alia) the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.

Where a development would lead to less than substantial harm to a designated heritage asset, paragraph 202 of the NPPF requires Local Planning Authorities to consider this harm against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The National Planning Policy Framework (NPPF) states that good design is a key aspect of sustainable development and that planning policies and decisions should ensure that developments function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. This is largely reflected within Policies DM1 and P3 of the Council's adopted Core Strategy, which requires development proposals to demonstrate high quality design.

The site falls within the Spotland Bridge Conservation Area which spans an area of circa 17.3ha, predominantly to the south and west of the site, but also encompassing small areas to the north and east. The Conservation Area is designated as such due to its special historic and architectural interest, which is mainly focussed around the area's distinctive industrial townscape which illustrates how the cotton industry created modern Rochdale and notably includes the Grade II listed Spotland Mill. The character of the Conservation Area lies in its surviving expression of this historic development, and typified by its materiality, key views and separation of buildings into three distinct areas representative of the advances in technology which supported the expansion of the area.

The Conservation Area does not currently benefit from a dedicated appraisal, however the positive characteristics of the conservation area are easily read from public vantage points along Spotland Road, Rooley Moor Road and Mellor Street; the townscape of the Conservation Area covers an eclectic mix of architectural styles, forms and massing, however it is typified through vernacular terraces and industrial workplaces such as the aforementioned Spotland Mill.

Following the comments from the Urban Design Officer, concerns were raised in respect of reduction of glazed element and removal of brick detailing. Amended plans were sought to amend the proposal to include brick detailing. As such, the proposals are not considered unacceptable in design terms.

The application would remove the glazed corner on the north western façade of the proposal, and would replace this, and much of the approved design on the western elevation with brick detailing and various full length windows. To the rear elevation, the proposed changes would include a larger roller shutter door, however this would still remain lower than two storey. Additionally, the relocation of windows would increase glazing to the rear south west corner, where previously glazing was only on the ground floor.

It is noted the Conservation Officer's Consultee response where concern was raised regarding the material changes. It was clarified by the agent this was an error, and the previously approved materials were reinstated to the plans, and no material changes are proposed.

It is concluded the proposal would not have an unacceptable impact upon the conservation area, and would not result in poor design, and would be in accordance with policy P3 and P2 of the Rochdale Core Strategy, and Policies contained within the NPPF.

Surrounding land uses

Policy DM1 of the adopted Core Strategy requires all new developments to demonstrate that they are compatible with surrounding land uses, both in terms of its impact upon those uses and the impact of the surrounding land uses upon the amenities of future residents / users. Paragraph 130 of the NPPF states that planning policies and decisions should ensure that new developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. The Council's adopted Supplementary Planning Document '*Guidelines and Standards for Residential Development*' (2016) contains a number of guidelines and requirements for the design and layout of new housing in order to preserve the amenity standards for surrounding residents.

The application remains in the same position and siting as the previously approved application. While the proposal increases the size of the B8 unit and reduces the size of the Class E use internally, as well as introducing a taller roller shutter door, it is not considered this would unacceptably impact the neighbouring residents over and above the previously approved application. The Council's Environmental Health Officer was consulted on the proposals and raised no objections.

Highways

Policy T2 of the adopted Core Strategy seeks to improve accessibility by locating development where good access to public transport is available or can be provided and in all circumstances, prioritises the safety, accessibility and amenity of those who live or have business in the area. Policy DM1 also states that all development proposals should provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location. Paragraph 111 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The amended proposal does not seek to amend parking spaces. The size of the office is reduced which does not affect the conclusion of the previously approved application.

The site includes satisfactory arrangements for manoeuvring larger vehicles and servicing requirements, and as such, the proposed development would accord with policies DM1 and T2 of the adopted Core Strategy and the National Planning Policy Framework.

RECOMMENDATION: Approve variation of condition

1. The development must be begun not later than three years from 13th October 2023.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. This permission relates to the following plans:-

Proposed Site and Location Plans – CIE-SVA-ZZ-ZZ-DR-A-2001 Rev D
Proposed Elevations 01 – CIE-SVA-ZZ-ZZ-DR-A-2010-Rev G received by the Council 15/02/2024
Proposed Elevations 02 – CIE-SVA-ZZ-ZZ-DR-A-2011 Rev D received by the Council 15/02/2024
Proposed Roof Plan – CIE-SVA-ZZ-ZZ-DR-A-2007 Rev E received by the Council 03/11/2023
Proposed Level 0 Plan - CIE-SVA-ZZ-ZZ-DR-A-2005 Rev F received by the Council 03/11/2023
Proposed Level 1 Plan - CIE-SVA-ZZ-ZZ-DR-A-2006 Rev G received by the Council 03/11/2023

and the development shall be carried out in complete accordance with these drawings hereby approved unless otherwise required by the conditions below.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

3. No development shall commence until details of a sustainable surface water drainage scheme and a foul water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall include:
 - (i) Details of the site's proposed foul and surface water drainage, incorporating sustainable drainage measures.
 - (ii) Greenfield rainfall runoff rate will need to be applied to any future discharge of surface water from the developed site to sewer or drain at the rate of Q_{bar} (1 in 2.3 yr return period) because the current footprint is grass.
 - (iii) The background calculations of the MicroDrainage® model or any other software or calculations that have been used for the drainage design.

The approved scheme shall be implemented prior to the first occupation of the building hereby permitted and shall be retained as such thereafter.

Reason: To prevent an increased risk of flooding as a result of the development, to ensure satisfactory disposal of surface water from the site, and to ensure no unacceptable risk to controlled waters, in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

4. The following noise parameters shall be achieved in respect of the building or from plant and machinery used in connection with the building and they shall not be exceeded at any time:
 - o Rear of homes 201-211 Spotland Road to the east boundary of the site. Between 07:00-23:00 44 dB(A), between 23:00-07:00, 36 dB(A).

Reason: To protect the nearest residential properties from noise disturbance in accordance with Core Strategy policy DM1 and the National Planning Policy Framework.

5. In addition to materials as detailed on the approved plans (Condition 2), the proposal shall be constructed in accordance with external materials specified on Materials Schedule '2305 00-03 001 A'. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

6. Notwithstanding any description in the application, no above ground works shall take place until full product specifications for the windows, external doors including roller shutter door, roof lights, or any other glazing, and detailed designs of the window and door reveals, at a scale of not less than 1:50, to be used on the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The windows and

doors shall be installed in accordance with the approved details thereafter. For the avoidance of doubt the roller shutter door shall have a black or dark grey powder coated finish.

Reason: In the interests of visual amenity and in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

7. No above ground works shall take place until a scheme of biodiversity enhancements for the site including, but not limited to, the provision of bird boxes, bird bricks, bat boxes and bat bricks to be integrated to the fabric of the buildings hereby approved, bug hotels, hibernaculum and wildflower seeding has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation of the building and retained thereafter.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

8. The development hereby approved shall be carried out in accordance with the remediation strategy set out in section 3 of the submitted Geo-Environmental Audit by TJ Booth Associates ref. rep-tjba-hallmark-dexine-Phs 1+2+3 Env-080415, rev. 8 and dated August 2022.

Prior to the first occupation of the approved development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm the effectiveness of the remediation strategy and to confirm that no unacceptable contaminants were detected during the construction phase of the development.

In the event that unacceptable contamination is detected, a remediation strategy shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the duly approved remediation strategy thereafter.

Reason: In the interest of the health and safety of future users and in accordance with Policies DM1 and G9 of the adopted Core Strategy and the National Planning Policy Framework.

9. The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be carried out prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interest of highway safety and the free flow of traffic and in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

10. No goods, materials, waste products or containers shall be stored within any of the external service yards hereby approved.

Reason: In order to ensure a satisfactory appearance and in the interests of neighbour amenity in accordance with policies P3 and DM1 of the Core Strategy and the National Planning Policy Framework.

Procedure Statement

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

Notes for Applicant:

1. Bats are a European Protected Species which are mobile in their habitats and can turn up in the most unlikely places. If bats are found or suspected at any time during the works, work should cease immediately and advice sought from a suitably qualified bat worker.

Report Author Rosalind Gralton